

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 94-257-C - ORDER NO. 94-1158✓  
NOVEMBER 2, 1994

IN RE: Application of World Wide Communications,        ) ORDER  
          Inc. for a Certificate of Public Convenience ) APPROVING  
          and Necessity to Provide Intrastate Resold    ) CERTIFICATE  
          Telecommunications Services within the State )  
          of South Carolina.                                )

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of the Application of World Wide Communications, Inc. (World Wide or the Company) requesting a Certificate of Public Convenience and Necessity authorizing it to operate as a reseller of telecommunications services in the State of South Carolina. The Company's Application was filed pursuant to S.C. Code Ann. §58-9-280 (Supp. 1993) and the Regulations of the Public Service Commission of South Carolina.

The Commission's Executive Director instructed World Wide to publish, one time, a prepared Notice of Filing in newspapers of general circulation in the affected areas. The purpose of the Notice of Filing was to inform interested parties of World Wide's Application and of the manner and time in which to file the appropriate pleadings for participation in the proceeding. World Wide complied with this instruction and provided the Commission with proof of publication of the Notice of Filing. A Petition to Intervene was filed by Southern Bell Telephone and Telegraph

Company (Southern Bell). Southern Bell subsequently moved to withdraw its Intervention in this Docket and did not participate in the hearing on this matter.

A hearing was commenced on October 25, 1994, at 11:00 a.m., in the Commission's Hearing Room. The Honorable Rudolph Mitchell, Chairman, presided. World Wide was represented by Frank R. Ellerbe, III, Esquire. Florence P. Belser, Staff Counsel, represented the Commission Staff.

At the beginning of the hearing, counsel for World Wide announced several proposed changes to the revised tariff in order to bring the revised tariff into compliance with the Commission's Rules and Regulations and with prior Commission Orders. These changes include eliminating §2.11(j) on p. 16; adding language to §2.14 on p. 18 regarding fourteen (14) days notice for special promotions; adding language to the rates section to clarify that the rates shown are on a per minute basis; and reducing the travel card surcharge in §4.3 on p. 29 to \$0.80 per call which is equivalent to the AT&T travel card surcharge.

In support of its Application, World Wide presented the testimony of Marc Rozar, Senior Vice President of World Wide. Mr. Rozar explained World Wide's request for authority to provide interexchange telecommunications services in South Carolina as a non-facilities based reseller. Mr. Rozar stated that World Wide uses GE Exchange as its underlying carrier. Mr. Rozar also described World Wide's billing, customer services, and marketing procedures. Mr. Rozar also testified that World Wide is

financially able to provide its services on a continuing basis. Mr. Rozar offered that approval of World Wide's Application would increase the level of telecommunications competition in South Carolina resulting in benefits for South Carolina consumers such as reduced prices, improved service quality, and a wider selection of products and services.

After full consideration of the applicable law, the Company's Application, and the evidence presented at the hearing, the Commission hereby issues its findings of fact and conclusions of law:

#### FINDINGS OF FACT

1. World Wide is incorporated under the laws of the State of Nevada and is licensed to do business as a foreign corporation in the State of South Carolina by the Secretary of State.

2. World Wide operates as a non-facilities based reseller of interexchange services and wishes to do so in South Carolina.

3. World Wide has the experience, capability, and financial resources to provide the services as described in its Application.

#### CONCLUSIONS OF LAW

1. Based on the above findings of fact, the Commission determines that a Certificate of Public Convenience and Necessity should be granted to World Wide to provide intrastate interLATA service and to originate and terminate toll traffic within the same LATA, as set forth herein, through the resale of intrastate Wide Area Telecommunications Services (WATS), Message Telecommunications Service (MTS), Foreign Exchange Service, Private Line Service, or

any other services authorized for resale by tariffs of carriers approved by the Commission.

2. The Commission adopts a rate design for World Wide for its resale services which includes only maximum rate levels for each tariff charge. A rate structure incorporating maximum rate levels with the flexibility for adjustment below the maximum rate levels has been previously adopted by the Commission. In Re: Application of GTE Sprint Communications Corporation, etc., Order No. 84-622, issued in Docket No. 84-10-C (August 2, 1984).

3. World Wide shall not adjust its rates below the approved maximum level without notice to the Commission and to the public. World Wide shall file its proposed rate changes, publish its notice of such changes, and file affidavits of publication with the Commission two weeks prior to the effective date of the changes. However, the public notice requirement is waived, and therefore not required, for reductions below the maximum cap in instances which do not affect the general body of subscribers or do not constitute a general rate reduction. In Re: Application of GTE Sprint Communications, etc., Order No. 93-638, issued in Docket No. 84-10-C (July 16, 1993). Any proposed increase in the maximum rate level reflected in the tariff which would be applicable to the general body of the Company's subscribers shall constitute a general ratemaking proceeding and will be treated in accordance with the notice and hearing provisions of S.C. Code Ann. §58-9-540 (Supp. 1993).

4. World Wide shall file its revised maximum tariff and an

accompanying price list within thirty (30) days of the date of this Order. The revised tariff shall be consistent with the findings of this Order and shall include the changes announced by counsel for World Wide at the beginning of the hearing. Further, the tariff shall be filed with the Commission in a loose-leaf binder.

5. World Wide is subject to access charges pursuant to Commission Order No. 86-584, in which the Commission determined that for access purposes resellers should be treated similarly to facilities-based interexchange carriers.

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6. With regard to the Company's resale of service, an end-user should be able to access another interexchange carrier or operator service provider if they so desire.

7. World Wide shall resell the services of only those interexchange carriers or LECs authorized to do business in South Carolina by this Commission. If World Wide changes underlying carriers, it shall notify the Commission in writing.

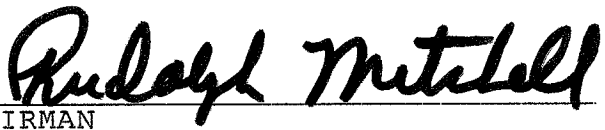
8. With regard to the completion of any intraLATA toll calls, World Wide shall comply with the terms of Order No. 93-462, Order Approving Stipulation and Agreement, in Docket Nos. 92-182-C, 92-183-C, and 92-200-C (June 3, 1993).

9. World Wide shall file surveillance reports on a calendar or fiscal year basis with the Commission as required by Order No. 88-178 in Docket No. 87-483-C. The proper form for these reports is indicated on Attachment A.

10. The Motion to Withdraw Intervention filed by Southern Bell is hereby granted.

11. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
CHAIRMAN

ATTEST:

  
Executive Director

(SEAL)

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NOVEMBER 2, 1994  
ATTACHMENT A

ANNUAL INFORMATION ON SOUTH CAROLINA OPERATIONS  
FOR RESELLERS OF TELECOMMUNICATION SERVICE

(1) SOUTH CAROLINA OPERATING REVENUES FOR THE 12 MONTHS ENDING  
DECEMBER 31 OR FISCAL YEAR ENDING \_\_\_\_\_.

(2) SOUTH CAROLINA OPERATING EXPENSES FOR THE 12 MONTHS ENDING  
DECEMBER 31 OR FISCAL YEAR ENDING \_\_\_\_\_.

(3) RATE BASE INVESTMENT IN SOUTH CAROLINA OPERATIONS\* FOR 12 MONTHS  
ENDING DECEMBER 31 OR FISCAL YEAR ENDING \_\_\_\_\_.

\*THIS WOULD INCLUDE GROSS PLANT, ACCUMULATED DEPRECIATION,  
MATERIALS AND SUPPLIES, CASH WORKING CAPITAL, CONSTRUCTION WORK IN  
PROGRESS, ACCUMULATED DEFERRED INCOME TAX, CONTRIBUTIONS IN AID OF  
CONSTRUCTION AND CUSTOMER DEPOSITS.

(4) PARENT'S CAPITAL STRUCTURE\* AT DECEMBER 31 OR FISCAL YEAR ENDING  
\_\_\_\_\_.

\*THIS WOULD INCLUDE ALL LONG TERM DEBT (NOT THE CURRENT PORTION  
PAYABLE), PREFERRED STOCK AND COMMON EQUITY.

(5) PARENT'S EMBEDDED COST PERCENTAGE (%) FOR LONG TERM DEBT AND  
EMBEDDED COST PERCENTAGE (%) FOR PREFERRED STOCK AT YEAR ENDING  
DECEMBER 31 OR FISCAL YEAR ENDING \_\_\_\_\_.

(6) ALL DETAILS ON THE ALLOCATION METHOD USED TO DETERMINE THE  
AMOUNT OF EXPENSES ALLOCATED TO SOUTH CAROLINA OPERATIONS AS WELL  
AS METHOD OF ALLOCATION OF COMPANY'S RATE BASE INVESTMENT (SEE #3  
ABOVE).